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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,767	07/14/2003	Byoung-Kuy Lee	0100-P0010A	6017
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HYUN JONG PARK			SELBY, GEVELL V	
41 WHITE BIRCH ROAD				
REDDING, CT 06896-2209				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/618,767

Applicant(s)

LEE ET AL.

Examiner

Gevell Selby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 7, 9-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-7, 9-14, 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/07 has been entered.

Response to Arguments

2. Applicant's arguments filed 4/16/07 have been fully considered but they are not persuasive. The applicant submits the prior art does not disclose the following limitations of the claimed invention:

wherein the camera comprises a menu option coupled with a user input unit provided in the camera, the menu option and the user input unit enabling a user to select and set up a start information signal through the display unit from the information signals stored in the rewritable memory of the camera without connecting the camera to an external computer for setting the start information signal, as claimed in claim 1;

setting up a start information signal with a user input unit coupled with a menu option for setting the start information signal, said setting-up the start information signal being performed, through execution of a start information setting algorithm with a microcontroller of the camera and without ever connecting the camera to an external computer for selecting, configuring, customizing or setting the start information signal by

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the external computer by selecting desirable start information of image data stored in the flash memory, as stated in claim 16;

said selecting and setting up to be performed through the display unit without connecting the camera to an external computer for selecting, configuring, customizing or setting up the start information signal by the external computer, as stated in claim 20.

The Examiner respectfully disagrees.

Examiner's Reply:

Re claim 1) Prabhu et al., US 7,019,778, discloses wherein the camera comprises a menu option (list of users displayed on the image display 22) coupled with a user input unit (user interface 24) provided in the camera, the menu option and the user input unit enabling a user to select and set up a start information signal through the display unit from the information signals stored in the rewritable memory of the camera (see column 14, lines 22-29: the user selects their name which corresponds to firmware settings including startup information that the processor 18 then uses to startup the desired GUI, which reads on a start information signal, at startup by selecting from the menu and the processor selects the appropriate features to display to the user on the GUI) without connecting the camera to an external computer for setting the start information signal (the startup information signals and firmware settings are saved in the Flash EPOM 28 and the camera is not connected to a computer to set the signals at startup).

Re claims 16 and 20) Prabhu et al., US 7,019,778, discloses wherein the method comprises setting up a start information signal with a user input unit (user interface 24) coupled with a menu option (list of users displayed on the image display 22) for setting the start information signal, said setting-up the start information signal being performed by selecting desirable start

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information of image data stored in the flash memory (see column 14, lines 22-29: the user selects their name which corresponds to firmware settings including startup information that the processor 18 then uses to startup the desired GUI, which reads on a start information signal, at startup by selecting from the menu and the processor selects the appropriate features to display to the user on the GUI) and said selecting and setting up to be performed through the display unit without connecting the camera to an external computer for selecting, configuring, customizing or setting up the start information signal by the external computer (see column 13, line 64 to column 14, lines 5: the startup information signals and firmware settings are saved in the Flash EPOM 28 and the camera is not connected to a computer to set the signals at startup).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Prabhu et al., US 7,019,778.**

In regard to claim 16, Prabhu et al., US 7,019,778, discloses a method of operating a digital camera which displays an object image while generating a digital image signal from light received from the object, stores the digital image signal in a memory medium attachable to the camera, and is capable of reproducing, at startup of the

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camera, a start information signal which can be set up by the user without utilizing an external computer for setting the start information signal, the method comprising the steps of:

setting up a start information signal with a user input unit (user interface 24) coupled with a menu option (list of users displayed on the image display 22) for setting the start information signal, said setting-up the start information signal being performed, through execution of a start information setting algorithm (firmware) with a microcontroller (processor 18) of the camera and without ever connecting the camera to an external computer for selecting, configuring, customizing or setting the start information signal by the external computer (see column 13, line 64 to column 14, line 5) by selecting desirable start information of image data stored in the flash memory (see column 14, lines 22-29: the user selects their name which corresponds to firmware settings including startup information that the CPU then uses to startup the desired GUI, which reads on a start information signal, at startup by selecting from the menu and the processor selects the appropriate features to display to the user on the GUI and the camera is not connected to a computer to set the signals at startup); and

storing data regarding the set-up of the start information signal in the flash memory (see column 5, lines 41-46 and column 14, lines 22-29: the startup information signals and firmware settings are saved in the Flash EPOM 28).

In regard to claim 17, Prabhu et al., US 7,019,778, discloses the method of claim 16, wherein the setting up step, when the start information signal is a start-image, a list of

images stored in either the memory medium or the flash memory is presented for the selection by the user, and an image selected by the user is set up as the start-image (see column 7, line 66 to column 8, line 17).

In regard to claim 18, Prabhu et al., US 7,019,778, discloses the method of claim 16, wherein the setting up step, when the start information signal is a start-sound, the user is allowed either to select from a list of sounds stored in the flash memory (see column 12, lines 7-10).

In regard to claim 19, Prabhu et al., US 7,019,778, discloses the method of claim 16, wherein the storing step, after an image data or a sound data is selected as the start information signal in the setting up step, the selected start information signal is stored in the flash memory (see column 5, lines 41-46).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-3, 6, 7, 9-14 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732, and Hatanaka, US 6,438,320.**

In regard to claim 1, Prabhu et al., US 7,019,778, discloses an electronic camera capable of setting a start information signal of the electronic camera without utilizing an external computer, the camera comprising:

a display unit (see figure 1a, element 22) for presenting information and a graphic representation of an object image taken by the camera (see column 4, lines 47-59);

a rewritable memory (see figure 1A, element 28) for storing information signals including a plurality of frames of image information (see column 5, lines 21-56); and

wherein the camera comprises a menu option (list of users displayed on the image display 22) coupled with a user input unit (user interface 24) provided in the camera, the menu option and the user input unit enabling a user to select and set up a start information signal through the display unit from the information signals stored in the rewritable memory of the camera (see column 14, lines 22-29: the user selects their name or start information signal at startup by selecting from the menu and the processor selects the appropriate features to display to the user on the GUI) without connecting the camera to an external computer for setting the start information signal (the startup information signals and firmware settings are saved in the Flash EPOM 28 and the camera is not connected to a computer to set the signals at startup)

The Prabhu reference discloses displaying a customized GUI image at startup after a user is selected and playing sounds with the start of different camera operations;

however, the reference does not specifically disclose wherein the start information signal includes a start sound to be selected from information stored in the rewritable memory of the camera, the menu option and the user input unit further enabling the user to record a sound, the sound recorded being stored in the rewritable memory, and further enabling the user to select the sound recorded as the start sound of the camera.

Asada, US 2003/0030732, discloses a camera that can display or inhibit a startup sound and image (see para 28) and the startup sound may be any wave data in the memory (see para 34). Hatanaka, US 6,438,320, teaches a camera having a recording unit 32 that records wave data and stores it in memory (see column 4, lines 15-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, to have a start image and a start sound to be selected from information stored in the rewritable memory of the camera, the menu option and the user input unit further enabling the user to record a sound with a recording unit, the sound recorded being stored in the rewritable memory, and further enabling the user to select the sound recorded as the start sound of the camera, in order to allow the user to further customize the camera to his or here liking, making its use more enjoyable.

In regard to claim 2, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 1. The Prabhu reference discloses wherein the rewritable memory is a flash memory (see figure 1a, element 28 and column 4, lines 19-21).

In regard to claim 3, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 1. The Prabhu reference discloses wherein the rewritable memory is capable of storing information signals including a sound representation (see column 12, lines 7-10).

In regard to claim 6, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 1. The Prabhu reference discloses further including an external memory medium (see figure 1a, element 30) attachable to the camera and for storing information signals taken by the camera including a plurality of frames of image information (see column 4, lines 21-37).

In regard to claim 7, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 6. It is implied the external memory medium of the Prabhu reference is capable of storing information signals including a sound representation, since the limitation is a use of the memory and the structure of the memory is discloses and the information signals to provide custom firmware with sound is downloaded to the camera via the external memory (see column 5, lines 41-46).

In regard to claim 9, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 7. The Prabhu reference discloses wherein the selected start information signal is stored in the rewritable memory (see column 12, lines 7-10).

In regard to claim 10, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 9. The Asada

reference discloses wherein the camera allows selection of the start information signal indicative of at least one frame of image information (see para 26).

In regard to claim 11, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 9. The Asada reference discloses wherein the camera allows selection of the start information signal indicative of a sound representation (see para 26).

In regard to claim 12, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 9. The Asada reference discloses wherein the camera allows selection of the start information signal indicative of at least one frame of image information coupled with a sound representation (see para 26).

In regard to claim 13, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 6. The Prabhu reference discloses wherein the external memory medium is a memory card (see figure 1a, element 30).

In regard to claim 14, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses the camera of claim 1. The Prabhu reference discloses further including user input means (see figure 1, element 24) for facilitating the selection of a start information signal (see column 4, lines 51-59).

In regard to claim 20, Prabhu et al., US 7,019,778, discloses an electronic camera capable a setting a start information signal of the electronic camera without utilizing an external computer, the camera comprising:

a display unit (see figure 1a, element 22) for presenting information and a graphic representation of an object image taken by the camera (see column 4, lines 47-59);

a memory card interface (see figure 1A, element 20) for interfacing with a memory card of a user and saving the object image taken by the camera (see column 4, lines 21-37);

a flash memory (see figure 1A, element 28) coupled with a digital signal processor and for storing operation information for the camera (see column 4, lines 21-37);

a user input unit (see figure 1, element 24) for operating and setting up functions of the camera (see column 4, lines 51-59); and

a menu option (list of users displayed on the image display 22) coupled with the user input unit of the camera, the menu option and the user input unit enabling a user to select and set up a start information signal to be reproduced when power is applied (see column 14, lines 22-29: the user selects their name or start information signal at startup by selecting from the menu and the processor selects the appropriate features to display to the user on the GUI), said selecting and setting up to be performed through the display unit without connecting the camera to an external computer for selecting, configuring, customizing or setting up the start information signal by the external computer (see column 13, line 64 to column 14, lines 5: the startup information signals and firmware settings are saved in the Flash EPOM 28 and the camera is not connected to a computer to set

the signals at startup), the start information signal including a start image to be selected from information stored in the flash memory of the camera and in the memory card of the user (see column 14, lines 22-29: the user selects their name or start information signal at startup by selecting from the menu and the processor selects the desired GUI image to display from the Flash EPROM 28).

The Prabhu reference discloses displaying a customized GUI image at startup after a user is selected and playing sounds with the start of different camera operations; however, the reference does not specifically disclose that the menu option and the user input unit further enabling the user to record a sound, the sound recorded being stored in the flash memory, and further enabling the user to select the sound recorded as the start sound of the camera.

Asada, US 2003/0030732, discloses a camera that can display or inhibit a startup sound and image (see para 28) and the startup sound may be any wave data in the memory (see para 34). Hatanaka, US 6,438,320, teaches a camera having a recording unit 32 that records wave data and stores it in memory (see column 4, lines 15-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, to have a start image and a start sound to be selected from information stored in the rewritable memory of the camera, the menu option and the user input unit further enabling the user to record a sound with a recording unit, the sound recorded being stored in the rewritable memory, and further enabling the user to select the sound recorded as the start sound of the camera, in order to

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allow the user to further customize the camera to his or her liking, making its use more enjoyable.

In regard to claim 21, Prabhu et al., US 7,019,778, in view of Asada, US 2003/0030732 and Hatanaka, US 6,438,320, discloses camera of claim 20. The Prabhu reference discloses further comprising a microcontroller (see figure 1A, element 18 and column 14, lines 25-29), wherein said selecting and setting up the start information signal is performed via execution of a start information setting algorithm with the microcontroller of the camera (see column 14, lines 18-29) without utilizing the external computer (see column 13, lines 64 to column 14, line 5).

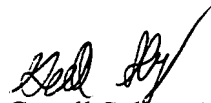
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gevell Selby, Art Unit 2622
gvs